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OFFICE OF PETITIONS

In re Application of : DECISION ON PETITION
Pavlidis et al. :
Application No. 10/008,786 :
Filed: November 13, 2001 :
Atty Docket No.: :
H0002443-02 :

This is a decision on the Petition Under 37 CFR §1.181 to Revoke Notice of Abandonment Erroneously sent in Error by USPTO, filed November 16, 2005.

The petition is granted.

The above-identified application became abandoned for failure to timely and properly reply to the Notice of Allowability, mailed July 29, 2003. The notices set a non-extendable three (3) month period for reply. No extensions of time having been obtained under 37 CFR 1.136(a), this application became abandoned on October 30, 2003. A Notice of Abandonment was mailed on December 19, 2003.

Applicant asserts that a timely reply to the Notice, drawings, was filed in the Office on August 23, 2003. In support of this assertion, applicant files copies of drawings and a Transmittal Letter that includes a Certificate of Mailing under 37 CFR 1.8 certifying that drawings were deposited U.S. mail on August 26, 2003.

A review of Office records reveal that this Office received the drawings on August 29, 2003.

In view of the foregoing, Notice of Abandonment is hereby vacated, and the holding of abandonment is hereby withdrawn.

No petition fee has been charged and none is due.

Office records reveal that the issue and publication fees were filed on October 29, 2003.

The application file is being forwarded to Publishing Division for processing into a patent.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3232.

A handwritten signature in black ink, appearing to read "Derek L. Woods".

Derek L. Woods
Attorney
Office of Petitions